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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/989,202	11/21/2001	Robert Newsteder	AID-3.2.001/4203	9308
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GIBBONS, DEL DEO, DOLAN, GRIFFINGER & VECCHIONE 1 RIVERFRONT PLAZA NEWARK, NJ 07102-5497			EXAMINER LE, UYEN T	
			ART UNIT 2163	PAPER NUMBER

DATE MAILED: 08/10/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/989,202

Applicant(s)

NEWSTEDER, ROBERT

Examiner

Uyen T. Le

Art Unit

2163

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 31 May 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-22 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Response to Amendment

The declaration filed on 31 May 2004 under 37 CFR 1.131 has been considered but is ineffective to overcome the Capra reference.

Applicant submitted printouts from ACM to show that the subject matter disclosed in Capra article is not published until November 16, 2001 while applicant's filing date is November 15, 2001.

The examiner disagrees and points out that the Capra article publication date appearing at the last line on page 1 of the article "WebContext: Remote Access to Shared Context" clearly indicates that the article is published on November 14, 2001. Therefore, rejection to claims 1-22 using Capra is maintained.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

1. Claims 1, 9, 17, 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Capra et al "Web content: Remote Access to Shared Context", ACM 2001, pages 1-9 of record, further in view of Alpdemir (US 2002/0035474) of record.

Regarding claim 1, Capra discloses an Internet-based directory information system for providing toll free telephone numbers and other company information including "a database...numbers" (see Figure 1), "a second Internet web site...product

or service” (see 1. introduction, 3. Usage Scenario, Figures 1, 2), “a second data network...second web site” (see 4.2 Voice interfaces to the Internet). The difference is Capra does not specifically show that the company information is entered via a first graphic user interface on a first internet web site and transmitted to the database through a first data network. However, it is well known in the art for companies to do so as shown by Alpdemir (see 0085, 0202). Furthermore, Alpdemir explicitly shows the benefit of a toll-free number (see 0241). Therefore, it would have been obvious to one of ordinary skill in the art to include a first internet web site, first user interface and first network for entering and transmitting company information while implementing the system of Capra in order to allow companies to registers their product and services using the convenience of the Internet as taught by Alpdemir (see the abstract).

Claim 9 merely differs from claim 1 by reciting a telephone-based directory system instead of an Internet-based directory system. Capra discloses such a system (see Figure 3).

Claims 17, 20 correspond respectively to a method for the system of claims 1, 9, thus are rejected for the same reasons stated in claims 1, 9 above.

2. Claims 2-8, 10-16, 18, 19, 21, 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Capra et al “Web content: Remote Access to Shared Context”, ACM 2001, pages 1-9 of record, in view of Alpdemir (US 2002/0035474) of record, further in view of Kwak (US 2002/0198933) of record.

Regarding claims 2, 10, Capra and Alpdemir disclose the system is Internet-based or telephone-based (see Figure 3, Capra) and for different areas (see 0025, Alpdemir) but do not specifically show that the database is configured and arranged to correlate the toll free telephone number and other company information to information relating to an advertising media format, date, identity of advertising publications, air time, station and geographic location. However, it is well known in the art to advertise using different formats as shown by Kwak (see 0034). Therefore, it would have been obvious to one of ordinary skill in the art to include configuring the database to correlate the toll free number and other company information relating to an advertising media format, date, identity of advertising publications, air time, station and geographic location in order to allow retrieval of the toll free number and other company information for all formats of advertising used by the company.

Regarding claims 3, 11 although Capra and Alpdemir do not specifically show the advertising format is one or more of television, radio, newspapers, periodicals, bus placards, subway placards, and billboards, it is customary for advertising to be any one of those formats as shown by Kwak (see 0034). Therefore, it would have been obvious to one of ordinary skill in the art to include the claimed formats while implementing the system of Capra and Alpdemir in order to use customary media formats in advertising.

Regarding claims 4, 12, Alpdemir clearly shows the first graphic user interface allows a company to enter company information for transmittal via the first data network to include in the database including toll-free number, company's products or services (see 0202), promotional or other offers ties to the products or services (see 0234,

Art Unit: 2163

0243), address of the company's internet web site, hyperlink to the company's internet web (see 0125), access to a switchboard of telephone operators able to take orders for the products or services (see 0090). Alpdemir does not specifically show advertising media format, date of advertising for the products or services, approximate air time of advertising, name of publication showing the advertising and geographic location of the advertising. However, it is well known in the art as shown by Kwak to advertise in different advertising media formats (see 0034). Therefore, it would have been obvious to one of ordinary skill in the art to include advertising in different formats as shown by Kwak while implementing the system of Capra and Alpdemir and by including media format, date of advertising for the products or services, approximate air time of advertising, name of publication showing the advertising and geographic location of the advertising in order to allow users to make queries about pieces of information that they partly remember from previous advertisements.

Regarding claims 5, 13, Capra and Alpdemir do not specifically show the second internet user interface is configured to allow framing a search by entering a media format of an advertisement, a date of the advertisement, and a geographic location where the advertisement was observed. However, it is it is well known in the art as shown by Kwak for companies to advertise in different formats (see 0034). Therefore, it would have been obvious to one of ordinary skill in the art to make the user interface at the second web site in the system of Capra, Alpdemir to be configured as claimed in order to allow users to enter a search request in the proper format.

Regarding claims 6, 14, Capra and Alpdemir do not specifically show the second internet user interface allows a search request to be framed by entering an air time of the advertising and an airing station of the advertisement. However, it is well known in the art to broadcast company advertisements as shown by Kwak (see 0034). Therefore, it would have been obvious to one of ordinary skill in the art to include allowing searching by entering an air time and station of the advertising in order to search broadcasted advertising.

Regarding claims 7, 15, Capra and Alpdemir do not specifically show the second internet user interface allows a search request to be framed by entering the name of the publication showing the advertising. However, it is well known in the art to advertise by publication as shown by Kwak (see 0034). Therefore, it would have been obvious to one of ordinary skill in the art to include allowing searching by providing the name of the publication in order to search by the publication that shows the advertising.

Regarding claims 8, 16, the system of Capra, Alpdemir and Kwak clearly allows entering a company name (see 0202, Alpdemir).

Regarding claims 18, 21, Capra and Alpdemir do not specifically show the second internet web site allows a search request to be framed by entering the approximate air time of the advertising and the airing station of the advertisement. However, it is well known in the art to broadcast company advertisements as shown by Kwak (see 0034). Therefore, it would have been obvious to one of ordinary skill in the art to include allowing searching by entering the approximate air time and station of the advertising in order to search broadcasted advertising.

Regarding claims 19, 22, Capra and Alpdemir do not specifically show the second internet web site allows a search request to be framed by entering the name of the publication showing the advertising. However, it is well known in the art to advertise by publication as shown by Kwak (see 0034). Therefore, it would have been obvious to one of ordinary skill in the art to include allowing searching by providing the name of the publication in order to search by the publication that shows the advertising.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Uyen T. Le whose telephone number is 571-272-4021. The examiner can normally be reached on M-F 7:00-5:30.

Art Unit: 2163

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Safet Metjahic can be reached on 571-272-4023. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

2 August 2005



UYEN LE
PRIMARY EXAMINER